

# **NEVADA INTERAGENCY FIRE RESTRICTIONS PLAN 2010**

## **Table of Contents**

PURPOSE	2
AUTHORITY	2
AREAS	2
PROCESS FOR FIRE RESTRICTIONS	3
INITIATION	3
IMPLEMENTATION	3
RESCISSION	4
APPENDIX 1: AUTHORITIES	5
APPENDIX 2: ROLES AND RESPONSIBILITIES	6
APPENDIX 3: NEVADA RESTRICTION AREAS 1-6	8
APPENDIX 4: GUIDELINES FOR IMPLEMENTING FIRE RESTRICTIONS	10
APPENDIX 5: FIRE RESTRICTIONS	11
APPENDIX 6: DEFINITIONS	12
APPENDIX 7: AGENCY SPECIFIC CRITERIA	13
A. Humboldt-Toiyabe National Forest	
APPENDIX 8: LIST OF AREA RESTRICTION CONTACTS	16
APPENDIX 9: SAMPLE FIRE RESTRICTION ORDER/NEWS RELEASE	18
ATTACHMENTS	
A. FORMS	27
B. NEVADA RESTRICTION AREAS 1-6 LOCAL PLANS	29

## **PURPOSE**

The purpose of fire restrictions is to reduce the risk of human-caused fires during unusually high fire danger and/or burning conditions. Fire restrictions impose many limitations on the general public, and therefore should be implemented only after all other prevention measures have been taken. These measures include, but are not limited to, increasing the number of prevention signs, public contacts, media campaigns, etc. Fire restrictions should be considered only when very high or extreme fire danger is predicted to persist. Other considerations are the level of human-caused fire occurrences being experienced, firefighting resources available, potential high-risk occasions (4th of July, etc.), and large fire activity occurring on a unit that is affecting overall resource availability. Fire restrictions should be considered one of the last prevention tools to be used. Restrictions should not be considered the prevention program.

Fire restrictions are responses to extended-timeframe risk situations, and are usually only appropriate when there is an expectation that they will need to stay in force for longer than a few days. Once an order is issued, it should remain in effect until the danger has clearly passed. On-again/off-again orders confuse the public and lead to poor public relations.

## **AUTHORITY**

Fire restrictions and closures are invoked on state, federal, and private lands under federal and state laws (Appendix 1). Agency Administrators are responsible for coordinating with other agencies, issuing appropriate documents, and enforcing restrictions for those lands on which they have authority (Appendix 2).

Agencies are responsible for incorporating the geographic guidelines into their appropriate policy and procedures manuals. Restrictions and closure procedures shall be uniform across areas and the geographic area.

## **AREAS**

The state of Nevada has been divided into six fire restriction areas (Appendix 3), each of which represents a geographic location with similar timing for weather changes and resulting fire behavior potentials. The six fire restriction areas correspond to the interagency Dispatch Center areas within Nevada. The boundaries for each area are placed along roadways, rivers, hydrologic divides or other known points that can be clearly described to the public. When a majority of the land managers and agency administrators representing the jurisdictions within an area agree that the conditions warrant a restriction, the entire area will be placed in a restricted status. When land managers and agency administrators agree that the restrictions for that area can be removed, the entire area will rescind restrictions as a whole. These coordinated steps should reduce the potential for confusing the public.

The local Fire Management/Staff Officer will be designated for each fire restriction area to facilitate discussion between the agencies. As a rule, all agencies will implement and rescind restrictions together, but agencies have some latitude to initiate restrictions independently to address special situations or conditions on a case-by-case basis that do not affect the entire area. However, this latitude should be used sparingly and only after consultation with the local FMO.

## PROCESS FOR FIRE RESTRICTIONS

Every spring, area Agency Administrators, law enforcement personnel, fire managers, and public information personnel will review and validate the restriction plan and applicable agency/tribal documents. All press releases, description of restrictions, and other necessary agency documents should be available in template format before the start of the fire season.

### 1) INITIATION

Fire managers within the Restriction Areas should begin planning when the fire danger conditions within an area approach critical levels. Fire danger critical levels should be determined by all wildland agencies in the area before the onset of fire season. These guidelines will become part of the local Restriction Plan, which will be attached to the Nevada Fire Restrictions Plan (refer to local plan outline in Attachment B, page 27). The planning process for restrictions should include a public awareness campaign, keeping the media informed of the possibility of restrictions. The agency FMOs within the area should coordinate all restriction actions with one another as well as with their respective state FMO; once a decision is made to implement restrictions, the local FMO will also inform the state FMO. This decision process should be started early enough so all agencies in the area have time to plan, properly distribute the restriction documents, and notify the public.

Agencies should allow at least two weeks lead-time to implement an order. This will allow for preparation, review, and coordination among agencies, media preparation and signatures.

The implementation date should not be on a day before a weekend to allow for public dissemination through the media.

When fire managers in the area make a decision that restrictions are needed, they will inform their respective Agency Administrator that the thresholds for implementing fire restrictions have been reached. All agencies will coordinate fire restriction implementation and rescissions, and timing of media releases.

### 2) IMPLEMENTATION

The local FMO will coordinate approval of all agency documents. Each Agency Administrator will be responsible for assuring that documents are completed and signed. The documents will be based on the elements listed in Appendix 4.

Agency specific implementation procedures will be listed in Appendix 7.

The local FMO will also coordinate public notification. Each local Restriction Plan will include a media communications process. When implemented, the restriction media release must be clear and concise and understandable to the general public. Each agency will post signs and notifications, according to their procedures and regulations, to inform the public of the restrictions. The local Agency Administrators will allow at least four working days for agencies to prepare for restrictions before the restriction goes into effect.

Once a restriction is in effect, participating agencies will not issue exemptions, exceptions, or waivers to the agreed-upon restrictions except through written individual permits. If permits are issued, affected agencies within the fire restriction area will be notified to avoid confusion among law enforcement, fire personnel, and public affairs staff.

Each agency will be responsible for informing their employees of the restrictions being enacted. Those responsible for public contact (receptionists, public affairs staff, etc.) will be provided with a copy of the restrictions and appropriate map.

### **3) RESCISSIONS**

Areas should plan restrictions for the long term danger and not jump at short fluctuations in risk, weather, and fire danger/behavior. When Area Agency Administrators agree that the restriction should be removed, the local FMO will coordinate public information as conditions warrant. Once the Agency Administrators within an area have agreed to rescind any or all restrictions, two working days should be allowed for procedural requirements before the restrictions are lifted.

## **APPENDIX 1: AUTHORITIES**

Fire restrictions and closures can be invoked on state, federal, and private lands under federal and state laws. The following are a reference of those authorities:

### **Forest Service Authorities**

For Closures

36 CFR 261.52(e) – Going into or being upon an area

For Restrictions

36, CFR 261.50 – Fire

General that applies to both restrictions and closures

16 USC 551 and 18 USC 3559 and 3571 – Violation/Penalties

36 CFR 261.51 – Posting Requirements

### **BLM**

Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701, et seq.),

Sections 302(b) and 301(a) 43, CFR, Part 9210 (Fire Management) 43, CFR, Part 9212 (Wildfire Prevention)

### **National Park Service**

### **Fish and Wildlife Service**

### **BIA**

Forest restrictions and closures are issued by the Bureau of Indian Affairs and Agency Superintendent under authority established in 25 CFR 163.3, 25 CFR 163.28

### **State of Nevada**

NRS 473.065

## **APPENDIX 2: ROLES AND RESPONSIBILITIES**

- 1) The Area Agency (Local) Administrators are responsible for the following:
  - Designate their FMO Area Restriction coordinator.
  - Develop an Area Restrictions Plan.
  - Ensure that orders are accurate and approved through their legal counsel.
  - Ensure that their agency follows all measures stated in an order.
  - Ensure that the restriction coordinator has the tools needed to perform successfully.
  - Monitor the success of the enacted restriction and provide timely feedback to the area.
  - Follow and endorse the Nevada Interagency Fire Restrictions Plan.
- 2) The Geographic Agency (State Level) Administrators are responsible for the following:
  - Incorporate Nevada guidelines into agency policy and procedures manuals.
  - Ensure that the local FMOs have the support they need to successfully implement restrictions.
  - Monitor their Area Agency Administrators to ensure consistent implementation of restrictions procedures as described in this document.
  - Coordinate implementation, rescission, and public notification of restrictions on a large scale basis.
- 3) The local FMO is responsible for the following:
  - Oversee the restriction implementation process.
  - Coordinate public notification through public affairs staff.
  - Gather all information needed to make informed decisions.
  - Monitor fire activity and ERC levels, as well as prevention efforts.
  - Communicate with neighboring areas on their activity.
  - Identify a person for media contacts within the area.
  - Monitor and gather information for the timely rescinding of orders.
  - Ensure all agency administrators have a copy of the local Restriction Plan and review it annually.
  - Maintain weather data software.
  - Maintain weather instruments.
  - Verify data request for key weather station inputs.
  - Monitor weather trends to anticipate fire restrictions
  - Work with cooperators, media and the public to initiate and rescind restrictions
  - Provide training to personnel on indices and trends that predict daily and long term fire danger
- 4) The state office role is to provide advice and counsel on the following:
  - Need for restrictions across areas
  - Impact of restrictions across areas
  - Coordination of restrictions across areas
  - Coordination of public notification and media releases at the statewide/geographic level
  - Encourage areas to review/edit criteria in the local Restriction Plan.
- 5) Weather Station Input Specialist is responsible for the following:
  - Enter weather parameters into WIMS for RAWS stations
  - Contact District or Zone FMOs to verify conditions

- 6) Forest and/or Rangeland Fuels Specialist is responsible for the following:
- Monitor weather conditions across the forest
  - Act as a technical specialist for information and requests from the districts

### **APPENDIX 3: NEVADA RESTRICTION AREA BOUNDARIES**

#### **Area 1** Lands administered by:

BLM--Carson City District Office

FS--Humboldt-Toiyabe National Forest

Carson Ranger District

Bridgeport Ranger District

BIA-- Nevada Agency

FWS--Fallon, Stillwater and Anaho Island National Wildlife Refuges

Nevada Division of Forestry--Western Region consisting of:

Carson City and the counties of Washoe, Storey, Lyon, Douglas, Mineral and Churchill

#### **Area 2** Lands administered by:

BLM--Winnemucca District Office

FS--Humboldt-Toiyabe National Forest

Santa Rosa Ranger District

BIA--Western Nevada Agency

Fort McDermitt Reservation

FWS--Sheldon National Wildlife Refuge

Nevada Division of Forestry--Western and Northern Region consisting of:

Humboldt, Pershing, and portions of Churchill and Washoe County

#### **Area 3** Lands administered by:

BLM--Battle Mountain District Office

FS--Humboldt-Toiyabe National Forest

Austin Ranger District

Tonopah Ranger District

BIA--Western Nevada Agency

FWS--

Nevada Division of Forestry--Northern Region and Southern Region consisting of:

Lander, Esmeralda, Northern Nye and a portion of Eureka County

#### **Area 4** Lands administered by:

BLM--Elko District Office

FS--Humboldt-Toiyabe National Forest

Ruby Mountains/Jarbidge Ranger Districts

Mountain City Ranger District

FWS--Ruby Lake National Wildlife Refuge

Nevada Division of Forestry--Northern Region consisting of:

Elko, portion of Eureka County



**Area 5** Lands administered by:

BLM--Ely District Office

FS--east-central portion of the Humboldt-Toiyabe National Forest  
Ely Ranger District

BIA--

FWS--

NPS--Great Basin National Park

Nevada Division of Forestry--Northern and Southern Region consisting of:  
Lincoln and White Pine County

**Area 6** Lands administered by:

BLM--Southern Nevada District Office

FS--southern portion of the Humboldt-Toiyabe National Forest  
Spring Mountains National Recreation Area

BIA--

FWS--Pahranagat, Desert, and Ash Meadows National Wildlife Refuges

NPS--Lake Mead National Recreation Area

Nevada Division of Forestry--Southern Region consisting of:  
Clark and Southern Nye County

#### **APPENDIX 4: GUIDELINES FOR IMPLEMENTING RESTRICTIONS**

When weather factors, fire behavior, or fire suppression impacts become a concern the following criteria can be used to determine if a fire restriction is justified. Before fire season, each area should review these evaluation guidelines and determine threshold levels that substantiate the need for each restriction. These thresholds for restrictions should well exceed the normal fire season conditions.

Criteria may include, but not limited to:

- 1,000-hour fuel moisture content
- 3-day mean energy release component.
- Live fuel moisture content.
- Fire danger rating adjective class is at very high or extreme.
- Fires are impacting available suppression resources making adequate initial attack difficult.
- Area is receiving a high occurrence of human-caused fires.
- Adverse fire weather conditions and risks are predicted to continue.
- Public and employee safety is jeopardized.

Agency specific criteria are listed in Appendix 7.

## **APPENDIX 5: FIRE RESTRICTIONS**

One type of fire restriction will be used. Each agency with a fire restriction area must write its own agency/tribal document that authorizes the restrictions within its jurisdiction. Each agency is responsible for using its own format and having their legal counsel review the document to ensure it is correct and enforceable. To reduce confusion and standardize the restrictions, the **following criteria will be used in all restriction documents**:

The following acts are prohibited until further notice:

1. Building, maintaining, attending or using a fire, campfire, or stove fuel, except a portable stove using gas, jellied petroleum or pressurized liquid fuel, outside of a developed recreation site/campground.
2. Smoking, except within an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable material.
3. Welding, or operating an acetylene torch with open flames, except by permit.
4. Using, or causing to be used, any explosive, except by permit.
5. Using fireworks or firing a tracer or other incendiary device.

The following are other criteria that may be considered and included as appropriate; however, since they are not explicitly stated in the Code of Federal Regulations they may not be enforceable by agency law enforcement personnel.

1. Require spark arrestors on all off-highway vehicles.
2. Vehicles are to use established roads, no off road travel.
3. Each vehicle should be equipped with a shovel, axe, and at least one gallon of water.

Precautions that may be incorporated into the restrictions could also include:

1. Keep matches and lighters out of the reach of children.
2. Be careful with firearms. Bullets hitting rocks can easily ignite fine fuels like grass.
3. When driving in grassy and brushy areas, periodically clear the skid plate and others areas where vegetation may collect.
4. Please use caution when driving in high vegetation areas as the heat from vehicles and catalytic converters may ignite grass during extremely dry conditions.

### **Exemptions:**

1. Persons with a valid permit specifically authorizing the otherwise prohibited act or omission.
2. Any Federal, state or local officer, or member of an organized rescue or firefighting force in the performance of an official duty.
3. Owners of undeveloped private property or with the property owner's permission using the property for the purpose of recreation so long as the use does not create a threat to surrounding property.

## **APPENDIX 6: DEFINITIONS**

The following definitions should be used as part of, or referenced to, in the Special Orders or Laws that initiate and authorize Fire Restrictions:

**AGENCY ADMINISTRATOR:** That person vested with the overall responsibility and authority for an agency at an administrative unit. These individuals may include BIA Superintendents, Forest Supervisors, NDF Regional Forester, and BLM District Managers. Agency Administrators at the Geographical Area level would include the FS Regional Forester, BLM State Director, and the State Forester Firewarden of Nevada Division of Forestry.

**CAMPFIRE:** A fire, not within any building, mobile home, or living accommodation mounted on a vehicle, which is used for cooking, branding, personal warmth, lighting, ceremonial, or aesthetic purposes. Campfires are open fires, usually built on the ground, from native fuels or charcoal, including charcoal grills.

**CHAINSAW:** A saw powered by an internal combustion engine, with cutting teeth linked in an endless chain.

**CLOSURE:** The closing of an area to entry or use.

**DESIGNATED ROADS AND TRAILS:** Those roads and trails that are identified on maps regularly provided to the public by Land Management agencies.

**DEVELOPED RECREATION SITE:** An area that has been improved or developed for recreation. A developed recreation site is signed as a privately owned commercial campground, tribal, or agency-owned campground or picnic area.

**FIRE STRUCTURE:** A metal or concrete improvement specifically designed for the purpose of containing a campfire or cooking fire provided by the agency or campground owner. This does not include a metal fire pan as defined below.

**METAL FIRE PAN:** A metal fire pan with sides at least three inches high with a metal grate on top.

**MOTORIZED EQUIPMENT:** Any equipment or vehicle propelled by an internal combustion engine.

**PATROL:** One or more people who will travel through a work site checking for and reporting fires discovered adjacent to and within the work site.

**PERMIT:** A written document issued by an authorized agency representative to specifically authorize an otherwise prohibited act.

**RESTRICTION:** A limitation on an activity or use.

**STOVE FIRE:** A fire built inside an enclosed stove, or sheep herder type stove, outfitted with a chimney employing a spark arrester.

## **APPENDIX 7: AGENCY SPECIFIC CRITERIA**

### **A. Humboldt-Toiyabe National Forest**

#### **1. Fire Weather and Fire Danger**

(1) *Weather Stations*. Provide weather station catalog information and the fuel model used for establishing critical National Fire Danger Rating System (NFDRS) output (90<sup>th</sup> and 97<sup>th</sup> percentile) thresholds. Briefly explain how each station's catalog was developed.

(2) *NFDRS*. Select an index or indices for trend monitoring. Identify the means, extremes, and percentiles for the index or indices for comparison. Identify weather thresholds and NFDRS thresholds for the full range of fire management activities as they relate to historical large fire occurrence. Thresholds can be determined by Palmer Drought Indices, METAFIRE, KBDI, ERC, BI, FIRES, preparedness levels, and so forth.

Fire danger thresholds are a key element, as they drive almost all fire management actions on the ground. Discuss the process for developing thresholds used for prevention, initial response, large fire actions, and prescribed fire activities. Include any charts used in the decision-making process. Explain the process for communicating fire danger information to field personnel.

The following chart depicts what the forest recommends for primary and secondary fuel models, break points and fire danger indices at these Forest Service RAWS. For areas not covered by these stations BLM RAWS should be used and the same criteria applied.

**These thresholds are to be monitored to predict weather trends to implement and terminate fire restrictions**

	Primary Fuel Model	Thresholds to monitor for restrictions	Indices	Consider Restrictions
<u>Dog Valley</u>	G/F	G=90/97 F=80/95	ERC BI	ERC 70+ (Three consecutive days)
<u>Markleeville</u>	G/F	G=90/97 F=80/95	ERC BI	ERC 70+(Three consecutive days)
<u>Galena</u>	F/G	F=80/95 G=90/97	BI ERC	ERC 70+ (Three consecutive days)
<u>Walker</u>	T/G	T=80/95 G=90/97	BI ERC	ERC 80+(Fuel Model G)(Three consecutive days)
Bridgeport	G/T	G=90/97 T=80/95	ERC BI	ERC 70+ (Fuel Model G)(Three consecutive days)
<u>Mt. Springs</u>	B/F	80/95 both	BI both	BI 170+ (Three consecutive days)(Fuel Model B)
Kyle Canyon	F/U	80/95	BI/ERC	ERC 70+ Fuel Model U)(Three consecutive days)

**Bold/Underlined Stations** are the stations to be monitored for fire danger. The three stations on the Carson District are combined as a SIG and averaged.

BLM Raws stations need to be monitored in the North East and Ely areas.

The threshold for burning index will be set at the 80<sup>th</sup> and 95th percentile to better reflect the need for additional preparedness in wind driven fires in brush fuel types. Historical large fires that have occurred on the districts and the fuel type that most represented the fires determined the primary fuel model.

Two indices were chosen for each station. The primary fuel model was determined mostly by where the station is located. Higher elevation stations most represent the timber type while mid to lower slope stations represent either a brush or grass fuel type. Both ERC's and BI's must be used in conjunction with one another to get the best representation of the geographic areas potential for fire danger. ERC's best represent the long-term affects of drying on large fuels. Burning index best represents the day-to- day fluctuations where wind will have the greatest affect on resource effectiveness on fire starts.

## **2. Agency specific implementation guidelines:**

Once monitoring of indices indicates that a special order for fire restrictions is imminent the District Fire Management Officer needs to get with their Law Enforcement Officer and prepare the order, a brief justification for the order, and fill out the Order Enforcement Review form (attachment [A] of this document).

The order will be sent to Law Enforcement in the Supervisors Office for review, assignment of an individual Order number and Forest Supervisors signature.

Terminating an order is basically the same process. Law Enforcement in the Supervisors Office has the standard format language for the Forest Supervisors signature. The District Fire Management Officer needs to submit a date to terminate the order.

Coordination with other agencies and media will be the same.

## **APPENDIX 8: LIST OF AREA RESTRICTION CONTACTS**

### **Nevada Contact List**

All phone numbers have area codes of (775) unless otherwise noted

<b>Agency</b>	<b>Title</b>	<b>Name</b>	<b>Phone</b>	<b>Cell</b>	<b>FAX</b>
<b>BLM Nevada State Office</b>	State Director	Ron Wenker	861-6590		861-6601
	State FMO	Rex McKnight	861-6670		861-6668
	Deputy State FMO Operations	Paul Petersen	861-6507		861-6668
	Fuels Specialist	Sandy Gregory	861-6514		861-6668
	Fire Mitigation/Ed	Ruta Glinski	861-6483		861-6668
	Public Affairs Spec.	Richard Brown	861- 6480		
Elko District	FMO	vacant	753- 0304		753-0315
	Fire Investigator	Kristin Calton	753-0268		
Winnemucca District	FMO	Mike Fetic	623-		623-1577
	Fire Mitigation/Ed	Carmen Thomason	623-1792		
Carson City District	FMO	Ken Smihula	885-6103		885-6106
	Fire Mitigation/Ed	vacant			
Ely District	FMO	Tye Petersen	289-1835		289-1930
Southern Nevada District	FMO	Kevin Oliver	702-515-5135		702-515-5023
	Fire Mitigation/Ed	Greg Marfil	702-515-5289		
Battle Mountain District	FMO	Rob Berger	635-4114		635-4034
	Fire Mitigation/Ed	Carmen Thomason	635-4117		
<b>Humboldt-Toiyabe National Forest Supervisor's Office</b>	Forest Supervisor	Jeanne Higgins	355-5310		355-5399
Supervisor's Office	Forest FMO	Bob Sommer	355-5315		355-5399
	Ass't FMO	Chris Theisen	352-1222		
	PAO	Christie Kalkowski	355-5311		355-5399
	Fire Prevention Spec	Patty Eder	355-5372		
Carson City Ranger District	FMO	Mike Wilde	884-8145		
Austin / Tonopah Ranger Dist	FMO	Doug Crocker	289-5131		
Bridgeport Ranger District	FMO	Grace Newell	760-932-5802		
Mtn. City/Ruby/Jarbridge RD	FMO	Troy Phelps	738-5171		
<b>Nevada Division of Forestry</b>	State Forester	Pete Anderson	684-2504		687-4244
	Deputy State Forester	Rich Harvey	684-2507		687-4244
	State FMO	Mike Dondero	684-2556		687-4244
Northern Region	FMO	Mike Rector	738-3454		753-8626
Southern Region	FMO	Mark Blankensop	702-486-5123		702-486-5186
Western Region	FMO	Mike Klug	849-2500 ext. 241		849-2391
<b>Fish &amp; Wildlife Service</b>					
Desert National Wildlife Refuge Complex	FMO	Tim Rash	702-515-5456		702-515-5460



Sheldon/Hart Mountain National Wildlife Refuge	Zone FMO	Andy Goheen	541-947-3315		541-947-4414
<b>National Park Service</b>					
Great Basin National Park	FMO	Elizabeth Cristobal	234-7331 ext. 264		234-7336 or 234-7269
Lake Mead National Recreation Area	FMO	Aaron Baldwin	702-293-8828		
<b>Bureau of Indian Affairs</b>					
Eastern Nevada Agency	AFMO	Spencer Gregory	753-0304		
Western Nevada Agency	FMO	Stan Heinrich	887-3521		882-1348
Duck Valley Sho-Pai Tribes	FMO	Brent Hunter	757-2473		757-3430

## **APPENDIX 9: SAMPLE FIRE RESTRICTION ORDER/NEWS RELEASE**

### **SPECIAL ORDERS FIRE RESTRICTIONS BUREAU OF LAND MANAGEMENT SOUTHERN NEVADA DISTRICT OFFICE-NEVADA**

Pursuant to 43 CFR 9212.2, the following acts are prohibited on all public land areas, roads and trails located within and administered by the BLM Southern Nevada District Office, effective at 12:01 a.m. on **Saturday, May 15, 2010**, until further notice:


1. Building, maintaining, attending or using a fire, campfire, charcoal BBQ or stove fire (except a portable stove using gas, jellied petroleum or pressurized liquid fuel).
2. Smoking, except within an enclosed vehicle.
3. Welding, or operating an acetylene torch with open flames, except by permit.
4. Using, or causing to be used, any explosive, except by permit.
5. Possession/use of fireworks, tracer rounds, steel-jacket ammunition, or any other incendiary device.
6. All motor vehicles must be equipped with an operational spark arrestor pursuant to 43 CFR 8343.1(c).

Pursuant to 43 CFR 9212.2, each of the following persons is exempt from this order:

1. Persons with a permit specifically authorizing the otherwise prohibited act or omission.
2. Any federal, state, or local officer, or member of an organized rescue or firefighting force in the performance of an official duty.

Title 43 CFR 9212.4 provides that any person who knowingly and willfully performs any act restricted by the Fire Prevention Order, is punishable by imprisonment of not more than 12 months or a fine in accordance with the applicable provisions of 18 USC 3571, or both.

Prepared in Las Vegas, Nevada, this **13th day of May, 2010**.



Mary Jo Rugwell  
District Manager, Southern Nevada District Office  
Bureau of Land Management

UNITED STATES DEPARTMENT OF AGRICULTURE  
FOREST SERVICE

HUMBOLDT-TOIYABE NATIONAL FOREST  
SPRING MOUNTAINS NATIONAL RECREATION AREA

FIRE RESTRICTIONS

**A. PROHIBITIONS:**

Pursuant to 36 CFR 261.50(a) and (b), the following acts are prohibited on the area, roads, and trails as described in this order, all within the Spring Mountains National Recreation Area, Humboldt-Toiyabe National Forest, beginning May 15, 2010 at 12:01 a.m. and continuing until further notice.

- 1. Building, maintaining, attending or using a fire, campfire, or stovefire.  
[36 CFR 261.52(a)]**
- 2. Smoking, except within an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable material to mineral soil. [36 CFR 261.52(d)]**
- 3. Welding, or operating an acetylene or other torch with open flame.  
[36 CFR 261.52(i)]**
- 4. Using an explosive. [36 CFR 261.52(b)]**

**B. EXEMPTIONS:**

Pursuant to 36 CFR 261.50(e), each of the following persons are exempt from this order.

1. Persons with a permit specifically exempting them from the effect of this Order.
2. Persons using a stove solely fueled by petroleum or LPG fuels.
3. Persons using a fire, campfire, or stovefire in the grill or fire ring provided in Developed Recreation Sites.
4. Any Federal, State, or local officer, or member of a organized rescue or fire fighting force in the performance of an official duty.

**C. AREA DESCRIBED:**

All National Forest System Lands that are outside of Developed Recreation sites, within the boundaries of the Spring Mountains National Recreation Area, Humboldt-Toiyabe National Forest.

**D. PURPOSE:**

The purpose of this order is to protect public health, well being and safety.

**E. IMPLEMENTATION:**

1. Exhibit A, Map is attached and incorporated into this order.
2. This Special Order implementing Fire Restrictions is effective at 12:01 A.M. on May 15, 2010, and shall remain in effect until rescinded.

**Violation of these prohibitions is punishable as a class B misdemeanor, by a fine of not more than \$5000.00 for an individual or \$10,000.00 for an organization and/or imprisonment of not more than 6 months [Title 16 USC 551, 18 USC 3571(b)(6), Title 18 USC 3581 (b)(7)].**

Done at Sparks, Nevada this \_13\_ day of May, 2010.

/s/ Kevin Wilmot (for)

JEANNE M. HIGGINS

Forest Supervisor, Humboldt-Toiyabe National Forest

**ORDER NUMBER: 04-17-10-08**

**EXHIBIT B**

**DEFINITIONS**

**Fire Restrictions**

**AREA:** Means a discrete, specifically delineated space that is smaller, and in most cases much smaller, than a Ranger District .

**CAMPFIRE:** A fire, not within any building, mobile home, or living accommodation mounted on a motor vehicle, which is used for cooking, branding, personal warmth, lighting, ceremonial, or esthetic purposes.

**STOVE FIRE:** A campfire built inside an enclosed stove or grill, a portable brazier, or a pressurized liquid or gas stove including a space heating device.

**DEVELOPED RECREATION SITE:** An area which has been improved or developed for recreation. (A developed recreation site is signed as an agency-owned campground or picnic area and identified on a Forest Service map as a site developed for that purpose).

**PERMIT:** Means authorization in writing by a forest officer.

For further definitions or clarification of definitions, refer to Title 36 Code of Federal Regulations 261.2.



## News Release

**For Immediate Release: July 9, 2010**

**CCD-2010-22**

**Bureau of Land Management**, Carson City District Office, Contact: Mark Struble, 775-885-6107

**Humboldt-Toiyabe National Forest**: Contact: Christie Kalkowski, 775-331-6444

**Nevada Division of Forestry**, Western Region, Contact: Michael Klug, 775-849-2500 ext. 241

### **Fire Restrictions in Western Nevada Start July 16**

Lingering drought conditions, increasing daytime temperatures and several humancaused fires have prompted the Bureau of Land Management (BLM), Carson City District Office, the Carson and Bridgeport Ranger Districts of the Humboldt-Toiyabe National Forest, and the Nevada Division of Forestry's Sierra Forest Fire Protection District to announce the **implementation of fire restrictions on Friday, July 16, 2010**, at 12:01 a.m., and lasting until further notice.

Vegetation in western Nevada and eastern California has dried out significantly since receiving slightly above normal moisture this past winter and spring. A large crop of grass and brush is evident at lower elevations and trees and other forest vegetation at higher elevations are quickly drying out. The public is encouraged to safely enjoy the public lands, bearing in mind that human-caused fires annually threaten human life, private property and public land resources every summer.

Off-highway motor vehicle enthusiasts are advised that hot exhaust systems can ignite dry grasses. The potential for another devastating fire during the summer is very real. Report fires to the Interagency Dispatch Center, Minden, Nevada, (775) 883-5995, or dial 911.

#### **Fire Restrictions Prohibit:**

1. Building, maintaining, attending or using a fire (using wood, charcoal or any other material), campfire, or stove fire except a portable stove using gas or pressurized liquid fuel, outside of a developed fee campground or picnic area (except by permit).
2. Smoking, except within an enclosed vehicle or at a developed campground or picnic area.
3. Welding, or operating an acetylene torch with open flames, except by permit.
4. Using or causing to be used, any explosive, except by permit.
5. Possession or use of fireworks (always prohibited), or any other incendiary device.

6. Use of tracer rounds, steel-core ammunition or exploding targets while recreational shooting.
7. Open burning (e.g. weeds, brush and yard debris).

In addition, the Nevada Division of Forestry restrictions within the Sierra Fire Protection District prohibit operating vehicles off of existing hard surface gravel roads or dirt roads in wildland areas, and operating vehicles or equipment traveling on or using wildland areas without at least an axe, shovel and one gallon of water. The BLM and the Forest Service recommend avoiding cross-country travel whenever possible to prevent grass from igniting from hot exhaust systems. All agencies recommend that individuals carry cell phones while in the wildlands or national forests to report wild fires.

**Affected Areas:**

**BLM** -all areas, roads and trails on the BLM-Carson District outside of developed recreation sites with the exception of Sand Mountain Recreation Area, and the portion of the Walker Lake Recreation Area within 100 yards of Walker Lake, or between Walker Lake and U.S. Highway 95 where camp fires are permitted.

**Forest Service** – all areas, roads and trails within the Carson and Bridgeport Ranger Districts on the Humboldt-Toiyabe National Forest with the exception of using campfires within the approved fire pits or grills provided in open Fee Recreation Sites.

**NDF** – all areas, roads and trails within the boundaries of the Sierra Forest Fire Protection District in Carson City and Storey County. This order also applies to the following state parks: Lake Tahoe Nevada, Washoe Lake, the Carson River Ranches portion of Ft. Churchill, and Dayton in western Nevada.

Citizens are reminded that the charcoal grills cannot be used during fire restrictions. Charcoal burns longer and hotter than wood and may appear to be cold; however, embers can linger for hours. Winds can spread the embers from charcoal and campfires into vegetation, igniting a wildfire. *Propane or white gas stoves, however, are acceptable for use during fire restrictions.*

As fire season continues the BLM, Forest Service and NDF will be aggressively citing those who do not comply with the posted restrictions and those who use or possess fireworks. Violation of these prohibitions is subject to punishment by a fine of not more than \$10,000 or imprisonment for not more than six months or both, as Class B misdemeanors under federal law (agency statutes vary). Persons may also be responsible for resource damage, suppression costs and any injuries that occur if they are found liable for causing a wildfire.

For more information or clarification on the restrictions, please contact the BLM-Carson City District Office at 775-885-6000, the Humboldt-Toiyabe National Forest at 775-331-6444, or the Nevada Division of Forestry at 775-849-2500.



**For Immediate Release**

**Date: May 14, 2010**

## **Southern Nevada Fire Restrictions Announced**

### **Contact list (alphabetical by agency)**

Bureau of Land Management – Kirsten Cannon – (702) 515-5057

National Park Service – Andrew S. Muñoz – (702) 293-8691

Nevada Division of Forestry – Mark Blankensop – (702) 486-5123

U.S. Fish and Wildlife Service – Dan Balduini – (702) 515-5480

U.S. Forest Service – Ray Johnson – (702) 872-0010

**Las Vegas** - On Saturday, May 15, 2010 the Bureau of Land Management, Bureau of Reclamation, National Park Service, Nevada Division of Forestry, U.S. Fish and Wildlife Service and U.S. Forest Service are implementing Southern Nevada fire restrictions due to the increased potential for wildland fires.

“Public lands should be enjoyed, but they must be enjoyed responsibly to reduce the number of human-caused fires,” said Chris Delaney, Bureau of Land Management Acting Fire Management Officer.

The fire restrictions prohibit:

- Building, maintaining, attending or using a fire, campfire, or stove fire, except a portable stove using gas, jellied petroleum or pressurized liquid fuel;
- smoking, except within an enclosed vehicle;
- welding, or operating an acetylene torch with open flames, except by permit;
- using, or causing to be used, any explosive, except by permit;
- using fireworks or firing a tracer

The only exceptions to the restrictions are open campfires in developed recreation sites (such as a campground where a host is present or fee is charged); private property owners using an approved cooking or heating device in Mt. Charleston area; people with a permit specifically authorizing an otherwise prohibited act; and/or any federal, state, or local officer or member of an organized rescue or firefighting force in the performance of an official duty.

Lake Mead National Recreation Area will allow wood or charcoal fires in grills of developed picnic areas; campfires with wood or charcoal burning devices on the shoreline where natural vegetation is at least 100 feet from the shoreline; barbecue grills on private boats outside the harbors of Lake Mead



and Lake Mohave; rental boats are authorized to use barbecues attached to vessel if allowed under rental boat agreement; all vessel barbecue fires must be at least 100 feet away from shoreline vegetation.

The U.S. Fish and Wildlife Service will allow campfires in fire rings at Desert Pass Campground within the Desert National Wildlife Refuge.

Bureau of Land Management is prohibiting the use of steel jacket ammunition. This form of ammunition is a known fire starter. The jacket of steel core ammunition is coated with copper and will spark on rocks which cause vegetation to ignite.

Southern Nevada has experienced above average winter precipitation that caused an abundance of invasive weeds that fuel wildland fire. "Following fire restrictions and developing defensible space on private property will help reduce the risk of a catastrophic wildland fire season," said Dennis Darling, U.S. Forest Service Fire Management Officer.

In 2009, Southern Nevada wildland firefighters responded to 166 wildland fires which burned 429 acres. "

The potential for wildland fires in Southern Nevada has recently increased due to higher temperatures that are drying vegetation," said Mark Blankensop, Nevada Division of Forestry Regional Manager.

"Mojave Desert lands burned by wildland fire are more vulnerable to new fires because they become overgrown with invasive annual grasses," said Glenn Gibson, U.S. Fish and Wildlife Service Fire Management Officer.

"These restrictions should be taken seriously," said Aaron Baldwin, National Park Service Fire Management Officer. "Violations can result in a fine of up to \$10,000 and a year in jail as well as the costs associated with resource damage, suppression costs, and injuries if found guilty."

# # #

The public is urged to contact the local U.S. Forest Service office at (702) 515-5400, U.S. Fish and Wildlife Service at (702) 515-5450, National Park Service at (702) 293-8990, Bureau of Land Management at (702) 515-5000 or Nevada Division of Forestry at (702) 486-5123 if they have any questions or need clarification on the restrictions.

Nevada Division of Forestry does not observe specific beginning or ending dates for fire restrictions. By state law, fire restrictions are always in effect. Nevada Division of Forestry participates with other federal agency partners in the issuance of joint news releases regarding fire restrictions.

Verbiage used on fire prevention signs by Nevada Division of Forestry is as follows:

FIRE HAZARDOUS AREA

VEHICLES MUST STAY ON ROAD  
SMOKE IN VEHICLES ONLY  
NO OPEN/CAMP FIRES  
CARRY AXE, SHOVEL WATER

**ATTACHMENTS**

**ATTACHMENT A**

**HUMBOLDT-TOIYABE NATIONAL FORESTS**

**ORDER ENFORCEMENT REVIEW**

**(R4 LE & I HTNF-5/29/2001**

**(FSM 5330-FSM 5309.11-TITLE 36 CFR 261.50 7 261.70**

**DISTRICT:                      DATE:                      FUNCTION:                      ORDER NUMBER:**

**TYPYR OF ORDER:    AREA\_\_\_\_\_ TRAIL\_\_\_\_\_ FIRE\_\_\_\_\_ OCCUPANCY\_\_\_\_\_**

**If road or trail, does it have criteria meeting RS-2477 standards?    YES\_\_\_\_\_ No\_\_\_\_\_**

**If yes, this needs resolution before proceeding any further. If no, proceed.**

**DESCRIPTION OF PROPOSED RESTRICTION (S):\_\_\_\_\_**  
\_\_\_\_\_.

**PLANNED DURATION OF RESTRICTION:\_\_\_\_\_**

**PUBLIC COMMENT SOLICITED:            YES\_\_\_\_\_ NO\_\_\_\_\_ ATTACH COPIES & APPROPRIATE  
COMMENTS AND DECISION.**

**ARE THERE ANY RESTRICTIONS DEVICES TO BE INSTALLED?    YES\_\_\_\_\_ NO\_\_\_\_\_**  
**TYPE\_\_\_\_\_.**

**ESTIMATED COST:                      BARRIERS?\_\_\_\_\_                      GATES?\_\_\_\_\_                      SIGNING?\_\_\_\_\_**  
**INSTALLATION?\_\_\_\_\_ ENFORCEMENT?\_\_\_\_\_                      TOTAL \$\_\_\_\_\_**

**HOW DO YOU PLAN ON ENFORCING THE RESTRICTION IF APPROVED? ARE SPECIFIC PLANS  
NEEDED FOR ENFORCEMENT, REFER TO FSM 5311? REQUESTING UNITS MUST HAVE THE  
MEANS AND INTENT TO ENFORCE ORDERS:**

\_\_\_\_\_  
\_\_\_\_\_.

WHAT ARE THE ANTICIPATED COSTS OF ENFORCEMENT PER YEAR OR FOR THE DURATION OF THE ORDER? \_\_\_\_\_.

WHAT ALTERNATIVES WERE CONSIDERED? \_\_\_\_\_.

WHY WAS THE ORDER OPTION CHOSEN? \_\_\_\_\_.

HOW MUCH FUNDING IS IDENTIFIED TO DEVELOP AND ENFORCE THE ORDER? \_\_\_\_\_

MANAGEMENT CODES TO BE USED: \_\_\_\_\_

HAS A NEWS RELEASE BEEN DEVELOPED? YES\_\_\_\_ NO\_\_\_\_ If so, attach to this form.

PROPOSED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

REQUESTING LINE OFFICER: \_\_\_\_\_ DATE: \_\_\_\_\_

LE & I REVIEW: \_\_\_\_\_ RECOMMENDATION: YES\_\_\_ NO\_\_\_ DATE: \_\_\_\_\_

LE & I COMMENTS: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

(FOREST SUPERVISOR)

## **ATTACHMENT B**

### **NEVADA RESTRICTION AREAS 1-6 LOCAL PLANS**

Local plans should address the human-caused fire occurrence in the restriction area. The plan should include the following the key items:

1. Fire history
  - Choose a number of years for which you have accurate statistics to be your sample
  - Historical dates of fire starts, timeline showing probability of large fires occurring
  - Number, size, and location of human-caused fires
2. Weather stations to be used
  - Location
  - Data available
  - Appropriate fuel model
3. Indices to be used
  - Energy Release Component (ERC), Burning Index (BI), Haines Index, etc.
4. Thresholds to be used
  - Establish percentiles for each index
5. Assessment of human caused risk
  - Statistics on person starting fire, audience (such as hunters, campers, etc.)
  - Include demographic information if available, age group, where they reside, education level, etc.
  - Activities people are engaged in when they start fires
  - Specific cause
  - Day of week, time of day fires start
6. Resource drawdown levels
7. Political issues
  - How they influence where and when restrictions are put in place